UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/751,815	12/29/2000	William T. Andros	6988-1	8479

7590 03/13/2006	**EXAMINER**
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ART UNIT	PAPER NUMBER
3626	

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Please find below and/or attached an Office communication concerning this application or proceeding.

	Application No.	**Applicant(s)**
Office Action Summary	09/751,815	ANDROS ET AL.
	Examiner	**Art Unit**	
	Robert W. Morgan	3626	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE <u>3</u> MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
  Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on <u>02 February 2006</u>.

2a)☐ This action is **FINAL**.   2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-3,5-16 and 18-40* is/are pending in the application.

    4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-3, 5-16 and 18-40* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

    Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

    a)☐ All   b)☐ Some * c)☐ None of:

      1.☐ Certified copies of the priority documents have been received.

      2.☐ Certified copies of the priority documents have been received in Application No. _____.

      3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

    * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1)☒ Notice of References Cited (PTO-892)

2)☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)

3)☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
    Paper No(s)/Mail Date _____.

4)☐ Interview Summary (PTO-413)
    Paper No(s)/Mail Date. _____ .

5)☐ Notice of Informal Patent Application (PTO-152)

6)☐ Other: _____.

DETAILED ACTION

Continued Examination Under 37 CFR 1.114

1.   A request for continued examination under 37 CFR 1.114, including the fee set forth in

37 CFR 1.17(e), was filed in this application after final rejection. Since this application is

eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e)

has been timely paid, the finality of the previous Office action has been withdrawn pursuant to

37 CFR 1.114. Applicant's submission filed on 2/2/06 has been entered.

Notice to Applicant

2.   In the amendment filed 2/2/06, the following occurred: Claims 1, 8-9, 14, 21-22 and 30

have been amended, claims 4 and 17 have been canceled and claims 38-40 have been added.

Now claims 1-3, 5-16 and 18-40 are presented for examination.

Claim Rejections - 35 USC § 101

3.   The rejections under 35 USC § 101 have been withdrawn by the Examiner based on the

changes made by the Applicant to the claims.

Claim Rejections - 35 USC § 103

4.   The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all

obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in
> section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are
> such that the subject matter as a whole would have been obvious at the time the invention was made to a person
> having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the
> manner in which the invention was made.

5.   Claims 1-3, 5, 7, 14-16, 18, 20 and 38-40 are rejected under 35 U.S.C. 103(a) as being

unpatentable over U.S. Patent No. 5,774,671 to Satoh and U.S. Patent No. 5,675,637 to Szlam et

al. in view of U.S. Patent No. 5,832,447 to Rieker et al.

Satoh is directed towards a service changeable system at an information center while Szlam is directed towards a method for automatically obtaining and presenting data from multiple data sources,

As per claim 1, which is directed towards a method for collecting and providing consumer medical insurance information to a medical service provider, Satoh teaches the steps of receiving from a requesting computer a request for consumer information from a user (the request identifying a customer) and retrieving the requested consumer information corresponding to the identified consumer from at least one network location (the consumer information comprises at least one data item) (Col.1, Ln. 59-Col. 2, Ln. 13 and Col. 5, Ln. 65-Col. 6, Ln. 17).

Satoh fails to teach:

--the claimed retrieving including search of eligibility information stored at each of said plurality of different network location to determine whether said consumer has medical insurance coverage and, if so, with which insurer, said retrieved consumer medical insurance information comprising at least medical insurance eligibility information relating to said consumer;

--the claimed verifying the identity of said consumer from at least one other network location, said verifying including a search of consumer identity verification information stored at a different plurality of network locations located remote from one another; and

--the claimed transferring at least one data item from the retrieved consumer medical insurance information to a corresponding field in a user interface in a requesting medical service provider computer (screen scraping).

Szlam teaches a method for automatically obtaining and presenting data from multiple

data sources using a screen-scraping feature (see: Col. 12, Ln. 4-28 and Col. 17, Ln. 53-Col. 18,

Ln. 5).

At the time the invention was made, it would have been obvious to one of ordinary skill

in the art to have included the screen-scraping feature as taught in Szlam within the method for

automatically obtaining and presenting data from multiple data source as taught by Satoh with

the motivation of provided the user with a method for consolidating multiple sources of

information located on various screens as recited in Szlam (Col. 5, Ln. 25-Col. 6, Ln. 18).

Satoh and Szlam fail to teach:

--the claimed retrieving including search of eligibility information stored at each of said

plurality of different network location to determine whether said consumer has medical insurance

coverage and, if so, with which insurer, said retrieved consumer medical insurance information

comprising at least medical insurance eligibility information relating to said consumer; and

--the claimed verifying the identity of said consumer from at least one other network

location, said verifying including a search of consumer identity verification information stored at

a different plurality of network locations located remote from one another.

Rieker teaches a system and method for providing real-time verification of health

insurance eligibility including personal computers (110, Fig. 2) establishing links (114, Fig. 2)

with appropriate data gateways (116, Fig. 2) in order to obtain information regarding the

eligibility of specific health care patient using an admission form (see: column 5, lines 34-44 and

Fig. 10). In addition, Rieker teaches that the data gateway (116, Fig. 2) has access to and

provides information about insurance eligibility, which is supplied from one or more health

insurance payors (118, Fig. 2) (see: column 5, lines 66 to column 6, lines 3 and Fig. 2). The

Examiner considers each insurance payors computers to be remotely located and include a

database of consumer eligibility files used for verification.

Therefore, it would have been obvious to a person of ordinary skill in the art the

invention was made to include a plurality of network locations located remote from one another

to retrieve and verify consumer eligibility as taught by Rieker with the system as taught by the

Satoh and Szlam with the motivation of obtaining timely, accurate and complete health insurance

eligibility information for each incoming patient (see: Rieker: column 1, lines 28-31).

As per claim 2, in Satoh the user is authenticated (Col. 4, Ln. 31-39).

As per claim 3, in Satoh the user information comprises demographic information (Figure

8 and Col. 4, Ln. 32-42).

As per claim 5, in Satoh the user is provided information regarding services (Col. 1, Ln.

59-Col. 2, Ln. 13) and the examiner takes the position that it is within the scope of Satoh that

these services include consumer insurance and credit card information.

As per claim 7, the combined system of Satoh in view of Szlam uses screen scraping

technology as noted in the rejection of claim 1.

As per claim 14, which is directed towards a machine readable storage medium, Satoh

teaches the steps of retrieving the requested consumer information corresponding to the

identified consumer from at least one network location (the consumer information comprises at

least one data item) (Col.1, Ln. 59-Col. 2, Ln. 13 and Col. 5, Ln. 65-Col. 6, Ln. 17).

Satoh fails to teach:

--the claimed receiving from a requesting computer a request for consumer medical

insurance information, said request being received at a plurality of different network locations

remote from one another;

--the claimed retrieving including search of eligibility information for at least two

insurance carriers to determine medical insurance coverage; and

--the claimed transferring at least one data item from the retrieved consumer information

to a corresponding field in a user interface in a requesting computer (screen scraping).

Szlam teaches a method for automatically obtaining and presenting data from multiple

data sources using a screen-scraping feature (see: Col. 12, Ln. 4-28 and Col. 17, Ln. 53-Col. 18,

Ln. 5).

At the time the invention was made, it would have been obvious to one of ordinary skill

in the art to have included this screen-scraping feature as taught in Szlam within the method for

automatically obtaining and presenting data from multiple data source as taught by Satoh with

the motivation of provided the user with a method for consolidating multiple sources of

information located on various screens as recited in Szlam (Col. 5, Ln. 25-Col. 6, Ln. 18).

Satoh and Szlam fail to teach:

--the claimed receiving from a requesting computer a request for consumer medical

insurance information, said request being received at a plurality of different network locations

remote from one another; and

--the claimed retrieving including search of eligibility information for at least two

insurance carriers to determine medical insurance coverage.

Rieker teaches a system and method for providing real-time verification of health

insurance eligibility including personal computers (110, Fig. 2) establishing links (114, Fig. 2)

with appropriate data gateways (116, Fig. 2) in order to obtain information regarding the

eligibility of specific health care patient using an admission form (see: column 5, lines 34-44 and

Fig. 10). In addition, Rieker teaches that the data gateway (116, Fig. 2) has access to and

provides information about insurance eligibility, which is supplied from one or more health

insurance payors (118, Fig. 2) (see: column 5, lines 66 to column 6, lines 3 and Fig. 2). The

Examiner considers each insurance payors (carriers) computers to be remotely located and

include a database of consumer eligibility files used for verification.

Therefore, it would have been obvious to a person of ordinary skill in the art the

invention was made to include a plurality of network locations located remote from one another

to retrieve and verify consumer eligibility as taught by Rieker with the system as taught by the

Satoh and Szlam with the motivation of obtaining timely, accurate and complete health insurance

eligibility information for each incoming patient (see: Rieker: column 1, lines 28-31).

As per claim 15, in Satoh the user is authenticated (Col. 4, Ln. 31-39).

As per claim 16, in Satoh the user information comprises demographic information

(Figure 8 and Col. 4, Ln. 32-42).

As per claim 18, in Satoh the user is provided information regarding services (Col. 1, Ln.

59-Col. 2, Ln. 13) and the examiner takes the position that it is within the scope of Satoh that

these services include consumer insurance and credit card information.

As per claim 20, the combined system of Satoh in view of Szlam uses screen scraping

technology as noted in the rejection of claim 1.

As per claim 38, Satoh and Szlam teach that user information comprises demographic

information (see: Satoh: Figure 8 and Col. 4, Ln. 32-42). In addition, Satoh teaches the steps of

retrieving the requested consumer information corresponding to the identified consumer from at

least one network location (the consumer information comprises at least one data item) (see:

Satoh: Col.1, Ln. 59-Col. 2, Ln. 13 and Col. 5, Ln. 65-Col. 6, Ln. 17).

Satoh and Szlam fail to teach the claimed retrieving information relating to said

consumer of medical services if said consumer is determined, based upon retrieved consumer

medical insurance information, not to be insured by at least one medical insurer, said information

being retrieved from another plurality network locations located remotely from one another; and

--the claimed determining a creditworthiness of said consumer based upon retrieved

information.

Rieker teaches a system and method for providing real-time verification of health

insurance eligibility including personal computers (110, Fig. 2) establishing links (114, Fig. 2)

with appropriate data gateways (116, Fig. 2) in order to obtain information regarding the

eligibility of specific health care patient using an admission form (see: column 5, lines 34-44 and

Fig. 10). In addition, Rieker teaches that the data gateway (116, Fig. 2) has access to and

provides information about insurance eligibility, which is supplied from one or more health

insurance payors (118, Fig. 2) (see: column 5, lines 66 to column 6, lines 3 and Fig. 2). The

Examiner considers each insurance payors (carriers) computers to be remotely located and

include a database of consumer eligibility files used for verification. Furthermore, Rieker teaches

that the real-time insurance eligibility information allows health care provider to ask patient

about alternate insurance/payment ability if asserted insurance eligibility is not verified (see:

column 4, lines 45-48).

Therefore, it would have been obvious to a person of ordinary skill in the art the

invention was made to include a plurality of network locations located remote from one another

to retrieve and verify consumer eligibility as taught by Rieker with the system as taught by Satoh

and Szlam with the motivation of obtaining timely, accurate and complete health insurance

eligibility information for each incoming patient (see: Rieker: column 1, lines 28-31).

As per claim 39, Satoh and Szlam fail to explicitly teach electronically generating an

appointment schedule and billing form for said consumer if said consumer is determined based

upon retrieved consumer medical insurance information to be insured by at least one medical

insurer.

Rieker teaches a system and method for providing real-time verification of health

insurance eligibility including a billing record (702, Fig. 9D) that includes a date/time stamp

field (704, Fig. 9D) and patient request ID request field (706, Fig. 9D) (see: column 12, lines 21-

24). The Examiner considers the billing record (billing form) to also include an appointment

schedule.

The motivation to combining the teachings of Rieker with the system as taught by Satoh

and Szlam are discussed in rejection of claim 1, and incorporated herein.

As per claim 40, Satoh teaches the steps of retrieving the requested consumer information

corresponding to the identified consumer from at least one network location (the consumer

information comprises at least one data item) (Col.1, Ln. 59-Col. 2, Ln. 13 and Col. 5, Ln. 65-

Col. 6, Ln. 17).

Satoh fails to teach:

----the claimed retrieving including search of eligibility information relating to at least

two insurance carriers to determine medical insurance coverage being stored at each of said

plurality of different network location to determine whether said consumer has medical insurance

coverage and, if so, with which insurer, said retrieved consumer medical insurance information

comprising at least medical insurance eligibility information relating to said consumer;

(c) verifying the identity of said consumer from at least one over network location;

(d) defining a creditworthiness of said consumer if, based upon retrieved consumer

medical insurance information said consumer is determined not to be insured by at least one

medical insurer, said determining being based upon credit information retrieved from at least one

of a different plurality of network locations and including a search of credit information specific

to the verified identity of said consumer, said credit information being stored at one or more of

said different plurality of network location;

e) transferring at least one data item in said retrieved consumer medical insurance

information to a corresponding field in a user interface in said requesting medical service

provider computer; and

f) electronically generating an appointment schedule and billing form for said consumer

if said consumer is determined based upon retrieved information to be insured by at least one

medical insurer and/or to be creditworthy.

Szlam teaches a method for automatically obtaining and presenting data from multiple

data sources using a screen-scraping feature (see: Col. 12, Ln. 4-28 and Col. 17, Ln. 53-Col. 18,

Ln. 5).

At the time the invention was made, it would have been obvious to one of ordinary skill in the art to have included the screen-scraping feature as taught in Szlam within the method for automatically obtaining and presenting data from multiple data source as taught by Satoh with the motivation of provided the user with a method for consolidating multiple sources of information located on various screens as recited in Szlam (Col. 5, Ln. 25-Col. 6, Ln. 18).

Satoh and Szlam fail to teach:

(c) verifying the identity of said consumer from at least one over network location;

(d) defining a creditworthiness of said consumer if, based upon retrieved consumer medical insurance information said consumer is determined not to be insured by at least one medical insurer, said determining being based upon credit information retrieved from at least one of a different plurality of network locations and including a search of credit information specific to the verified identity of said consumer, said credit information being stored at one or more of said different plurality of network location; and

f) electronically generating an appointment schedule and billing form for said consumer if said consumer is determined based upon retrieved information to be insured by at least one medical insurer and/or to be creditworthy.

Rieker teaches a system and method for providing real-time verification of health insurance eligibility including personal computers (110, Fig. 2) establishing links (114, Fig. 2) with appropriate data gateways (116, Fig. 2) in order to obtain information regarding the eligibility of specific health care patient using an admission form (see: column 5, lines 34-44 and Fig. 10). In addition, Rieker teaches that the data gateway (116, Fig. 2) has access to and provides information about insurance eligibility, which is supplied from one or more health

insurance payors (118, Fig. 2) (see: column 5, lines 66 to column 6, lines 3 and Fig. 2). The

Examiner considers each insurance payors computers to be remotely located and include a

database of consumer eligibility files used for verification. Additionally, Rieker teaches that the

real-time insurance eligibility information allows health care provider to ask patient about

alternate insurance/payment ability if asserted insurance eligibility is not verified (see: column 4,

lines 45-48). The Examiner considers that during the verification of health insurance eligibility a

creditworthiness check is perform, before asking the patient about alternate payment options.

Furthermore, Rieker teaches a system and method for providing real-time verification of health

insurance eligibility including a billing record (702, Fig. 9D) that includes a date/time stamp

field (704, Fig. 9D) and patient request ID request field (706, Fig. 9D) (see: column 12, lines 21-

24). The Examiner considers the billing record (billing form) to also include an appointment

schedule.

The motivation to combining the teachings of Rieker with the system as taught by Satoh

and Szlam are discussed in rejection of claim 1, and incorporated herein.

6.   Claims 6 and 19 are rejected under 35 U.S.C. 103(a) as being unpatentable over U.S.

Patent No. 5,774,671 to Satoh and U.S. Patent No. 5,675,637 to Szlam et al. in view of U.S.

Patent No. 5,832,447 to Rieker et al. as applied to claim 1 above, and further in view of U.S.

Patent No. 6,349,299 to Spencer.

Satoh, Szlam and Rieker fail to teach the step of presenting the retrieved consumer

information to the user and provider for verification.

Spencer teaches a system and method for storing electronic contact information into an

electronic address book where at step 120, for example, a graphical user interface may be used to

display to user any change of information (see: column 10, lines 12-27). The Examiner considers

the user to also be a provider.

At the time the invention was made, it would have been obvious to one of ordinary skill

in the art to have including the user verification feature as taught by Spencer with the system of

Satoh, Szlam and Rieker with the motivation of providing an additional level of security thereby

preventing unauthorized access.

7.   Claims 9-13 are rejected under 35 U.S.C. 103(a) as being unpatentable over U.S. Patent

No. 4,876,643 to McNeill in view of U.S. Patent No. 5,832,447 to Rieker et al.

McNeill is directed towards a parallel searching system having a master processor for

controlling plural slave processors for independently processing respective search requests.

As per claims 9-13, which are directed towards a system for collecting and providing

consumer information to a user, McNeill teaches a buffer for receiving a user request for

information from a requesting computer and for receiving consumer from a specified network

location. McNeill also teaches an information matching system for retrieving the consumer

information and a transfer agent (bus) for transferring at least one item of the consumer

information in the retrieved consumer information to a corresponding field in a user interface in

the requesting computer (Abstract and Col. 3, Ln. 35-50).

McNeill does not expressly teach the specific data recited in claims 9-13; however, these

differences are only found in the non-functional descriptive material and are not functionally

involved in the steps recited nor do they alter the recited structural elements. The recited method

steps would be performed the same regardless of the specific data. Further, the structural

elements remain the same regardless of the specific data. Thus, this descriptive material will not

distinguish the claimed invention from the prior art in terms of patentability, *see Cf. In re*

Gulack, 703 F.2d 1381, 1385, 217 USPQ 401, 404 (Fed. Cir. 1983); *In re Lowry*, 32 F.3d 1579,

32 USPQ2d 1031 (Fed. Cir. 1994).

McNeill fail to teach the claimed receiving a request received at a plurality of different

network locations remote from one another relating to at least two insurance carriers to

determine medical insurance coverage.

Rieker teaches a system and method for providing real-time verification of health

insurance eligibility including personal computers (110, Fig. 2) establishing links (114, Fig. 2)

with appropriate data gateways (116, Fig. 2) in order to obtain information regarding the

eligibility of specific health care patient using an admission form (see: column 5, lines 34-44 and

Fig. 10). In addition, Rieker teaches that the data gateway (116, Fig. 2) has access to and

provides information about insurance eligibility, which is supplied from one or more health

insurance payors (118, Fig. 2) (see: column 5, lines 66 to column 6, lines 3 and Fig. 2). The

Examiner considers each insurance payors (carriers) computers to be remotely located and

include a database of consumer eligibility files used for verification.

Therefore, it would have been obvious to a person of ordinary skill in the art the

invention was made to include a plurality of network locations located remote from one another

to retrieve and verify consumer eligibility as taught by Rieker within parallel searching system as

taught by McNeill et al. with the motivation of obtaining timely, accurate and complete health

insurance eligibility information for each incoming patient (see: Rieker: column 1, lines 28-31).

8.   Claims 8 and 21 are rejected under 35 U.S.C. 103(a) as being unpatentable over U.S.

Patent No. 5,774,671 to Satoh, U.S. Patent No. 6,349,299 to Spencer, U.S. Patent No. 5,675,637

to Szlam et al. in view of U.S. Patent No. 5,832,447 to Rieker et al.

Claim 8 is directed towards a method for collecting and providing consumer demographic

information and consumer insurance information to a user.

Satoh teaches the steps of a) receiving from a requesting computer a request for consumer

information from a user (the request identifying a customer) and b) retrieving the requested

consumer information corresponding to the identified consumer from at least one network

location (the consumer information comprises at least one data item) (Col. 1, Ln. 59-Col. 2, Ln.

13 and Col. 5, Ln. 65-Col. 6, Ln. 17).

Satoh fails to teach:

c) presenting the retrieved consumer information to the user for verification;

d) receiving from a requesting computer a request for consumer medical insurance

information from a provider, said request being received at a plurality of different network

locations remote from one another;

e) retrieving including search of eligibility information relating to at least two insurance

carriers to determine medical insurance coverage being stored at each of said plurality of

different network location to determine whether said consumer has medical insurance coverage

and, if so, with which insurer, said retrieved-consumer medical insurance information comprising

at least medical insurance eligibility information relating to said consumer; and

f) upon verification of said consumer medical information by said provider, transferring at least one data item from the retrieved consumer information to a corresponding field in a user interface in a requesting computer.

Spencer teaches a system and method for storing electronic contact information into an electronic address book where at step 120, for example, a graphical user interface may be used to display to user any change of information (see: column 10, lines 12-27). The Examiner considers the user to also be a provider.

At the time the invention was made, it would have been obvious to one of ordinary skill in the art to have including the user verification feature as taught by Spencer with the system of Satoh with the motivation of providing an additional level of security thereby preventing unauthorized access.

Satoh teaches the step of d) receiving from a requesting computer a request for information from a user (the request identifying a consumer) and e) retrieving the requested consumer information corresponding to the identified consumer from at least one network location (the consumer information comprising at least one data item) (Col. 3, Ln. 50-Col. 4, Ln. 19 and Col. 17, Ln. 63-Col. 18, Ln. 5).

Satoh the user is provided information regarding services (Col. 1, Ln. 59-Col. 2, Ln. 13) and the examiner takes the position that it is within the scope of Satoh that these services include consumer insurance and credit card information.

Satoh and Spencer fail to teach:

--the claimed retrieving including search of eligibility information relating to at least two insurance carriers to determine medical insurance coverage being stored at each of said plurality

of different network location to determine whether said consumer has medical insurance

coverage and, if so, with which insurer, said retrieved consumer medical insurance information

comprising at least medical insurance eligibility information relating to said consumer; and

f) transferring at least one data item from the retrieved consumer information to a

corresponding field in a user interface in a requesting computer (screen scraping).

In Spencer, once the user has verified their demographic information, the information is

stored in a database (see: Col. 10, Ln. 23-27) but is not transferred to a field. However this

feature is well known in the art as evidenced by Szlam (Col. 12, Ln. 4-28 and Col. 17, Ln. 53-

Col. 18, Ln. 5).

Szlam teaches a method for automatically obtaining and presenting data from multiple

data sources using a screen-scraping feature (see: Col. 12, Ln. 4-28 and Col. 17, Ln. 53-Col. 18,

Ln. 5).

At the time the invention was made, it would have been obvious to one of ordinary skill

in the art to have included this screen-scraping feature as taught in Szlam with the system of

Satoh and Spencer with the motivation of provided the user with a method for consolidating

multiple sources of information located on various screens as recited in Szlam (Col. 5, Ln. 25-

Col. 6, Ln. 18).

Satoh, Spencer and Szlam fail to teach:

--the claimed retrieving including search of eligibility information relating to at least two

insurance carriers to determine medical insurance coverage being stored at each of said plurality

of different network location to determine whether said consumer has medical insurance

coverage and, if so, with which insurer, said retrieved consumer medical insurance information

comprising at least medical insurance eligibility information relating to said consumer.

Rieker teaches a system and method for providing real-time verification of health

insurance eligibility including personal computers (110, Fig. 2) establishing links (114, Fig. 2)

with appropriate data gateways (116, Fig. 2) in order to obtain information regarding the

eligibility of specific health care patient using an admission form (see: column 5, lines 34-44 and

Fig. 10). In addition, Rieker teaches that the data gateway (116, Fig. 2) has access to and

provides information about insurance eligibility, which is supplied from one or more health

insurance payors (118, Fig. 2) (see: column 5, lines 66 to column 6, lines 3 and Fig. 2). The

Examiner considers each insurance payors (carriers) computers to be remotely located and

include a database of consumer eligibility files used for verification.

Therefore, it would have been obvious to a person of ordinary skill in the art the

invention was made to include a plurality of network locations located remote from one another

to retrieve and verify consumer eligibility as taught by Rieker with the system as taught by the

Satoh, Spencer and Szlam with the motivation of obtaining timely, accurate and complete health

insurance eligibility information for each incoming patient (see: Rieker: column 1, lines 28-31).

As per claim 21, it repeats the subject matter of claim 8, as a "machine readable storage

having stored thereon a computer program" elements rather than a series of steps. As the

underlying processes of claim 8 has been shown to be obvious in view of the teachings of Satoh,

Spencer, Szlam and Rieker in the above rejections of claim 8, it is readily apparent that the

system disclosed by Satoh, Spencer, Szlam and Rieker includes machine readable storage having

stored thereon a computer program to perform these functions. As such, these limitations are

rejected of the same reasons given above for method claim 8, and incorporated herein.

9.   Claims 29 and 37 are rejected under 35 U.S.C. 103(a) as being unpatentable over U.S.

Patent No. 5,070,452 to Doyle, Jr. et al. and U.S. Patent No. 5,832,447 to Rieker et al. as applied

to Claim 22, above, and in further view of US Patent Number 6,694, 362 to Secor.

Doyle and Rieker fails to teach the step of determining that at least one item of

supplemental consumer information for one or more consumers is missing from the list of

consumers and querying at least one of a plurality of network locations specifying demographic

information to locate at least one of the missing items of supplemental consumer information.

Secor teaches a method and system for network impact analysis, teaches a feature which

determines that data is missing and a feature known as an "Action Tree" is used to query the

appropriate data source to locate the missing information (Col. 8, Ln. 31-38).

At the time the invention was made, it would have been obvious to one of ordinary skill

in the art to have included the "Action Tree" feature as taught by Secor with the system as taught

by the Doyle and Rieker with the motivation of 1) ensuring that all supplemental consumer

information on a given user was available to the system and 2) provide a means to obtain missing

information in obtain a complete record (these reasons are recited in Secor) (Col. 8, Ln. 30-46).

As per claim 37, Doyle and Rieker fails to teach the step of determining that at least one

item of supplemental consumer information for one or more consumers is missing from the list

of consumers and querying at least one of a plurality of network locations specifying

demographic information to locate at least one of the missing items of supplemental consumer

information.

Secor teaches a method and system for network impact analysis and teaches a feature

which determines that data is missing and a feature known as an "Action Tree" is used to query

the appropriate data source to locate the missing information (Col. 8, Ln. 31-38).

The motivation to combining the teachings of Secor with the system as taught by Doyle

and Rieker are discussed in the rejection of claim 29, are incorporated herein.

10.   Claims 22-28 and 30-36 are rejected under 35 U.S.C. 103(a) as being unpatentable over

U.S. Patent No. 5,070,452 to Doyle, Jr. et al. and U.S. Patent No. 5,832,447 to Rieker et al.

As per claim 22, Doyle teaches the steps of receiving a list of one or more consumers

medical treatment for which insurance compensation is available (Col. 2, Ln. 42-64, Col. 5, Ln.

16-32 and Col. 5, Ln. 51-64), querying at least one of a plurality of network locations specifying

insurance eligibility information to determine whether one or more consumers is insured by the

insurance carrier (Figure 2B), and indicating which of the consumer of the list have insurance

(Figure 2B and Col. 5, Ln. 16-32).

Doyle fails to teach searching a plurality of machine-readable databases separately stored

at a plurality network locations remotely located from one another and comprising insurance

eligibility information to determine whether one or more of the consumers is insured by at least

one medical insurance carrier.

Rieker teaches a system and method for providing real-time verification of health

insurance eligibility including personal computers (110, Fig. 2) establishing links (114, Fig. 2)

with appropriate data gateways (116, Fig. 2) in order to obtain information regarding the

eligibility of specific health care patient using an admission form (see: column 5, lines 34-44 and

Fig. 10). In addition, Rieker teaches that the data gateway (116, Fig. 2) has access to and

provides information about insurance eligibility, which is supplied from one or more health

insurance payors (118, Fig. 2) (see: column 5, lines 66 to column 6, lines 3 and Fig. 2). The

Examiner considers each insurance payors (carriers) computers to be remotely located and

include a database of consumer eligibility files used for verification.

Therefore, it would have been obvious to a person of ordinary skill in the art the

invention was made to include a plurality of network locations located remote from one another

to retrieve and verify consumer eligibility as taught by Rieker within the computerized insurance

claim processing system as taught by the Doyle with the motivation of obtaining timely, accurate

and complete health insurance eligibility information for each incoming patient (see: Rieker:

column 1, lines 28-31).

As per claim 23, Rieker teaches a data gateway (116, Fig. 2) that has access to and

provides information about insurance eligibility, which is supplied from one or more health

insurance payors (118, Fig. 2) (see: column 5, lines 66 to column 6, lines 3 and Fig. 2). The

Examiner considers each insurance payors (carriers) computer (databases) to be a plurality of

network location.

As per claim 24, in the system of Doyle, for the consumers having insurance, the system

specifies which insurance carrier provides insurance for the consumer (Col. 2, Ln. 42-64 and

Col. 5, Ln. 16-32).

As per claim 25, the system of Doyle determines that at least one of the consumers is

insured by two or more insurance carriers (Col. 2, Ln. 16-32).

As per claims 26-28, Doyle and Rieker fail to teach, per se, the concept of specifying

which insurance carriers provide insurance ánd which carrier is a primary carrier. However

Doyle and Rieker teaches that the insurance administration database contains a listing of the

dollar amounts payable for a given type of diagnosis (see: Doyle: Col. 2, Ln. 59-64). The

examiner takes the position that from the information in Doyle a user can determine which

insurance carrier is the primary carrier (assuming the primary carrier while contain the highest

dollar amounts payable of all the insurance carriers).

As per claim 30, it repeats the subject matter of claim 22, as a "machine readable storage

having stored thereon a computer program" elements rather than a series of steps. As the

underlying processes of claim 22 has been shown to be obvious in view of the teachings of

Doyle and Rieker in the above rejections of claim 8, it is readily apparent that the system

disclosed by Doyle and Rieker includes machine readable storage having stored thereon a

computer program to perform these functions. As such, these limitations are rejected of the same

reasons given above for method claim 22, and incorporated herein.

As per claims 31-36, they are rejected for same reasons set forth in rejection of claims

23-28.

Response to Arguments

11.   Applicant's arguments filed 2/6/05 have been fully considered but they are not

persuasive. Applicant's arguments will be addressed hereinbelow in the order in which they

appear in the response filed 2/6/05.

(A) In the remarks, Applicants argue in substance that, (1) McNeill is silent on teaching

any mechanism comparable to a consumer medical information matching system for retrieving

said consumer medical insurance information as recited in claim 9; and (2) Satoh, Spencer and

Szlam fail to teach or suggest the search eligibility information for at least two insurance carriers

to determine medical coverage.

(B) In response to Applicants arguments that, (1) McNeill is silent on teaching any

mechanism comparable to a consumer medical information matching system for retrieving said

consumer medical insurance information as recited in claim 9. The Examiner respectfully

submits that the McNeill reference is relied on for teaching a buffer for receiving a user request

for information from a requesting computer and for receiving consumer from a specified network

location. McNeill also teaches an information matching system for retrieving the consumer

information and a transfer agent (bus) for transferring at least one item of the consumer

information in the retrieved consumer information to a corresponding field in a user interface in

the requesting computer (Abstract and Col. 3, Ln. 35-50). In addition, McNeill further teaches

the master processor (210, Fig. 5) sequentially provides database records to the slave processors

(212, Fig. 5) for match comparison through control of the memory (214, Fig. 5) and disk

interface (216, Fig. 5) (see: column 6, lines 16-21). The Rieker reference is relied on teachings a

system and method for providing real-time verification of health insurance eligibility including

personal computers (110, Fig. 2) establishing links (114, Fig. 2) with appropriate data gateways

(116, Fig. 2) in order to obtain information regarding the eligibility of specific health care patient

using an admission form (see: column 5, lines 34-44 and Fig. 10). In addition, Rieker teaches

that the data gateway (116, Fig. 2) has access to and provides information about insurance

eligibility, which is supplied from one or more health insurance payors (118, Fig. 2) (see: column

5, lines 66 to column 6, lines 3 and Fig. 2). The clearly indicates that each insurance payors

computers represent a plurality of different network location remotely located including databases of consumer eligibility files used for verification.

(C) In response to Applicants arguments that, (2) Satoh, Spencer and Szlam fail to teach or suggest the search eligibility information for at least two insurance carriers to determine medical coverage. The Examiner respectfully submits the Rieker reference is relied on for teachings a system and method for providing real-time verification of health insurance eligibility including personal computers (110, Fig. 2) establishing links (114, Fig. 2) with appropriate data gateways (116, Fig. 2) in order to obtain information regarding the eligibility of specific health care patient using an admission form (see: column 5, lines 34-44 and Fig. 10). In addition, Rieker teaches that the data gateway (116, Fig. 2) has access to and provides information about insurance eligibility, which is supplied from one or more health insurance payors (118, Fig. 2) (see: column 5, lines 66 to column 6, lines 3 and Fig. 2). The clearly indicates that the search for consumer eligibility information from the one or more health insurance payors is equivalent to the at least two insurance carriers used to determine medical coverage.

(D) With regards to Applicant's other argument, it is respectfully submitted that the Examiner has applied new prior art to amended claims 1, 8-9, 14, 21-22 and 30 as well as new claims 38-40 at the present time. The Examiner notes the newly added limitations to independent claims were not in the previously pending claims as such, Applicant's remarks with regard to the application of Satoh, Szlam, Doyle, Secor, Spencer and/or McNeil to the newly added limitation are moot in light of the inclusion of the teachings of Rieker, addressed in the above Office Action.
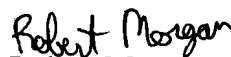
Conclusion

Any inquiry concerning this communication or earlier communications from the

examiner should be directed to Robert W. Morgan whose telephone number is (571) 272-6773.

The examiner can normally be reached on 8:30 a.m. - 5:00 p.m. Mon - Fri.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's

supervisor, Joseph Thomas can be reached on (571) 272-6776. The fax phone number for the

organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent

Application Information Retrieval (PAIR) system. Status information for published applications

may be obtained from either Private PAIR or Public PAIR. Status information for unpublished

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system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Robert Morgan
Patent Examiner
Art Unit 3626